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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ANDREA RIDGELL, on behalf of herself
and others similarly situated

Plaintiff,

v.

FRONTIER AIRLINES, INC. a Colorado
corporation; AIRBUS S.A.S., a foreign
corporation doing business in the State of
California; AIRBUS GROUP HQ INC., a
corporation doing business in the State of
California

Defendants.

Case No.: 2:18-CV-04916 PA (AFMx)

**DECLARATION OF KILEY LYNN
GROMBACHER IN SUPPORT OF
MOTION FOR RELIEF FROM
DEADLINES IMPOSED BY LOCAL
RULE 23-3**

DECLARATION OF KILEY LYNN GROMBACHER

I, Kiley Lynn Grombacher, declare as follows:

1. I am an attorney duly admitted to practice law before this Court and I am a member in good standing of the State Bar of California, the State Bar of Tennessee, and in the Third and Ninth Circuits.

2. I am a named partner at Bradley/Grombacher, LLP counsel for Andrea Ridgell (“Plaintiff”).

3. In my capacity as counsel, I have been actively involved with all aspects of this litigation. Accordingly, I have personal knowledge of all the matters set forth herein, and if called, I could and would competently testify to the following:

4. I submit this declaration in support of Plaintiffs’ Motion for Relief from the 90-day deadline imposed by United States District Court, Central District of California Local Rule (“L.R.”) 23-3.

RELEVANT PROCEDURAL HISTORY

5. Plaintiff filed this action on June 1, 2018.

6. Pursuant to Local Rule 23-3, the deadline for the filing of Plaintiff’s motion for class certification was September 13, 2018. Currently, by Order of the Court the current deadline is October 22, 2018.

7. Plaintiff served defendant Frontier on or about June 15, 2018.

8. As a professional courtesy to Frontier, Plaintiff stipulated to provide Frontier an additional thirty-nine (39) days in which to file an answer to the complaint. Frontier filed an answer to the complaint on August 14, 2018.

9. Plaintiff voluntarily dismissed defendant Airbus Group HQ, Inc., pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) on July 16, 2018.

10. Given that defendant Airbus S.A.S. (“Airbus”) is a foreign corporation, service must be effectuated through protocols established by the Hauge Convention.

1 11. Shortly after filing, Plaintiff caused the complaint and all initiating documents
2 to be translated into French.

3 12. Promptly upon translation, Plaintiff began the process of effectuating service
4 under the Hague Convention with the assistance of ABC Legal, a process serving company.

5 13. In accordance with required procedures, the service request was sent to the
6 Ministry de la Justice in Paris with confirmed receipt on July 16, 2018.

7 14. At present, service has not yet been confirmed and may take several more weeks
8 or months to be effectuated.

9 15. No scheduling conference has yet been held in this action; however, a
10 conference has recently been scheduled for October 1, 2018.

11 16. The parties participated in a telephonic Rule 26 conference of counsel on August
12 28, 2018. The parties are conferring regarding litigation of this action and are considering
13 structuring the case such that certain potentially dispositive motions are heard in advance of
14 certification.

15 17. No prior requests for continuance of the certification date have been requested
16 in this action.

17 **Plaintiff has Met and Conferred in Advance of Filing this Motion**

18 18. On August 10, 2018, I spoke with counsel for defendant Frontier telephonically
19 regarding the relief requested. Counsel advised they would speak with their client regarding
20 the relief sought.

21 19. Plaintiff previously sought the relief requested by this motion via *ex parte*
22 application [ECF Dkt. No 18]. Frontier filed a Non-Opposition to such application [ECF Dkt.
23 No 19].

24 **Discovery From The Absent Defendant Is Necessary to Prepare a Motion for Class**
25 **Certification**

26 20. Although Plaintiff promptly initiated such protocols, the process, is inherently
27 slow and protracted and Airbus has not yet been served. As such, discovery on this entity
28

cannot yet be conducted.

21. It is anticipated that Airbus possesses discovery relevant to issues underlying Plaintiff's motion for class certification, including, for example, information regarding the design and manufacture of the subject aircrafts. Such information will be relevant to foundational certification factors such as commonality, typicality and predominance.

22. Given the complexity of the claims alleged and procedural posture of this litigation, relief from the certification deadline imposed by Local Rule 23-3 is merited.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and is based upon my own personal knowledge. Executed in Westlake Village, California on September 6, 2018.

/s/Kiley Lynn Grombacher

Kiley Lynn Grombacher